

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MILTON A. WHITE,

Plaintiff,

v.

Civil Action No. **3:24CV490**

CT. WOODY,

Defendant.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate proceeding *pro se*, submitted a “Notice of Federal Tort Claim” that appears to be a copy of a document sent to Defendant CT. Woody. (ECF No. 1.) Plaintiff indicated that Defendant should “take notice that I will make application to the Honorable Circuit Court at Richmond” (*Id.* at 2.) It is unclear whether Plaintiff intended to file a civil action in this Court. By Memorandum Order entered on July 15, 2024, the Court explained that Plaintiff’s submission failed to comply with Federal Rule of Civil Procedure 8(a). The Court also directed that, if Plaintiff wished to file an action in this federal court, and not in the Circuit Court for the City of Richmond, he was required to file a complaint that complies with Federal Rule of Civil Procedure 8(a) within thirty (30) days of the date of entry thereof. The Court warned that Plaintiff’s failure to file an appropriate complaint within thirty (30) days of the date of entry thereof, would result in dismissal of the action. *See* Fed. R. Civ. P. 41(b).

More than thirty (30) days have elapsed, and Plaintiff has not filed a complaint or otherwise responded to the July 15, 2024 Memorandum Order. Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: **8/26/24**
Richmond, Virginia

<div style="display: flex; align-items: center; justify-content: center;"><div style="text-align: right; margin-right: 10px;">/s/ John A. Gibney, Jr. Senior United States District Judge</div><div style="font-size: 2em; color: blue;">JAG</div></div>
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